



Reply Dated April 13, 2006
Reply to Office Action Mailed February 10, 2006

REMARKS / ARGUMENTS

A. Generally

Claims 17-29, 49, and 52-61 are pending in the Application. Claims 17-29 were previously withdrawn in response to a restriction requirement. Claims 17-29 have been canceled without prejudice. Claims 49 and 51 have been have been amended. Claims 78-85 have been added. No new matter has been added.

B. Claim Rejections

Claims 49, 51, 65, 67-69, 73 and 75-77 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 5,943,399 issued to Bannister et al. (hereinafter, "Bannister").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (MPEP §2131, 8th Ed. (Rev. 3, 2005).)

Bannister is directed to determining the status of a wireless device connected to a wireless network. According to the method described in Bannister, a request for a page of data is received from a data terminal at a data service node. The data service node receives from a communications system a terminal status message containing information indicating a current status of a particular wireless device. The data service node sends to the data terminal a page of data indicating the current status of the particular wireless device.

Figure 1 of Bannister makes it clear that the data terminal contemplated by Bannister is workstation that uses a wired connection to the Internet. Referring to Figure 1 of Bannister, workstation 100 obtains access to a the Internet in the form of the Internet 300 via the PSTN 200. A modem pool 302 links the PSTN 200 to the Internet 300 for this purpose. Another data terminal in the form of a second workstation 400 comprises a LAN interface 406 for formatting data for transmission over a Local Area Network 410. It would not have been apparent to one skilled in the art at the time Bannister was filed to use a wireless device connected to the Internet through a WAP interface. Thus, the workstation of Bannister is inherently limited to the literal description offered by Bannister in reference to Figure 1.

Independent claims 49 and 51 have been amended to add a limitation directed to accessing a wireless telecommunication device status file associated with a called party over a

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wireless network via a WAP interface. This limitation is not taught or disclosed by Bannister. Thus, claim 49 (as amended) and claim 51 (as amended) are not anticipated by Bannister. It follows that claims 62-69, which depend directly or indirectly from claim 49 (as amended), and claims 70-77, which depend directly or indirectly from claim 51 (as amended), are not also not anticipated by Bannister.

New claims 78-85 have been added to capture the allowable subject matter of claims 62 and 65.

C. Conclusion

Applicant respectfully submits that claims 49, 51, and 62-85 are in condition for allowance. Should any further questions arise concerning this application or in the event the above amendments do not place the application in condition for allowance, applicant respectfully requests a telephone interview. Attorney for the applicant may be reached at the number listed below.

Respectfully Submitted,



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